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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,195	02/20/2004	Mou-Shiung Lin	MS98-002CCC CIPB	6169

7590
George O. Saile
28 Davis Avenue
Poughkeepsie, NY 12603

03/14/2007

EXAMINER

LE, THAO X

ART UNIT	PAPER NUMBER
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2814

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/14/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/783,195	Applicant(s) LIN ET AL.	
	Examiner Thao X. Le	Art Unit 2814	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 106-110, 112-116, 119, 120, 123, 126-129, 131 and 136-151 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 106-110, 112-116, 119, 120, 123, 126-129, 131 and 136-151 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/9/6</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08 Jan. 2007 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 106, 107-109, 110, 112, 113, 116, 119, 136, 141-142, 151 are rejected under 35 U.S.C. 102(e) as being anticipated by US 6605549 to Leu et al.

Regarding claim 106, Leu discloses in fig. 4E a semiconductor chip or wafer comprising: a silicon substrate 40; a metallization structure 47 over said silicon substrate 40, a passivation layer 5 over said first-metallization structure 47, wherein an

opening in said passivation layer exposes said first contact pad 47 of said metallization structure, and wherein said passivation layer comprises an inorganic material, col. 7 line 20; a polymer layer 42, col. 8 line 10, over said passivation layer 55, wherein said polymer layer has a thickness of between 0.05- 5 micron, col. 8 line 23, and a metal trace 53 over part of said polymer layer 42 and over said first contact pad 47, wherein said metal trace 53 comprises a gold layer, col. 10 line 24, with a thickness of between 2 and 100 micron (fig. 4e shows the gold layer 52 is at least equal or thicker than the dielectric layer 42), and wherein said metal trace comprises a second contact pad (where 49A is located) connected to said first contact pad 47, and wherein the positions of said first and second contact pads from a top view are different, fig. 4E.

Regarding claims 107-109, Leu discloses the semiconductor chip wherein passivation 55 comprises a topmost nitride or oxide layer of said semiconductor chip or wafer, col. 7 lines 19-25.

With respect to "wherein said passivation layer comprises a topmost CVD-formed layer" is considered to be a process that does not carry weight in a claim drawn to structure. In re Thorpe, 277 USPQ 964 (Fed. Cir. 1985).

Regarding claims 110 and 112, Leu discloses the semiconductor device where the metal trace 53 further comprises a titanium-containing layer 45 under the gold layer 53.

With respect to "second pad is used to be wirebonded thereto", the structure recited in Leu is substantially identical to that of the claims, claimed properties or functions are presumed to be inherent. Or where the claimed and

prior art products are identical or substantially identical in structure or composition, or are produced by identical or substantially identical processes, a *prima facie* case of either anticipation or obviousness has been established. *In re Best*, 195 USPQ 430, 433 (CCPA 1977) and MPEP 2112.01.

Regarding claims 113 and 119, Leu discloses the semiconductor chip or wafer wherein the metal trace comprises gold.

The process limitations "electroplated" and wirebond in claims 129 and 131 do not carry weight in a claim drawn to structure. *In re Thorpe*, 277 USPQ 964 (Fed. Cir. 1985).

Regarding claims 116, 151, Leu discloses the semiconductor chip or wafer wherein no polymer layer is over the metal trace 53, fig. 4E.

Regarding claim 141-142, Leu discloses the semiconductor chip or wafer wherein said titanium-containing layer 45 has a thickness of between 0.005 and 0.1 micron, col. 9 line 20, wherein said metal trace further comprises another gold layer 50 between said titanium-containing layer 45 and said gold layer 52, wherein said another gold layer 50 has a thickness of between 0.1 and 0.3 micron, col. 9 line 43.

Regarding claims 136, Leu discloses a circuit circuitry component comprising: a semiconductor substrate 40; a metallization structure 47 over said semiconductor substrate 40; a passivation layer 55 over said metallization structure 47, wherein said passivation layer comprises an inorganic material; and a metal trace 53 over said passivation layer 55, wherein said metal trace 53 comprises a titanium-containing layer 45, a first gold layer 50 on said titanium-containing layer 45, and a second gold layer 53

on said first gold layer 50, wherein said titanium-containing layer has a thickness of about 0.005-0.1 micron said first gold layer has a thickness of between 0.1-0.3 micron, col. 9 line 20 and 43 and a said second gold layer 53 a thickness of about 5 micron ((fig. 4e shows the gold layer 52 is at least equal or thicker than the dielectric layer 42 that has a thickness of about 0.05 to 5 micron), see discussion in claim 106 above.

4. Claims 120, 123, 126-129, 131, and 136-140, 143-145, 148-150 are rejected under 35 U.S.C. 102(e) as being anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over US 2003/0102551 to Kikuchi.

Regarding claim 120, Kikuchi discloses a semiconductor chip or wafer in fig. 2 comprising: a silicon substrate 110 [0030] (semiconductor comprises silicon), metallization structure 120 [0038], over said silicon substrate 110; a passivation layer 130 [0039] over said metallization structure 120; wherein an opening in said passivation layer 130 exposes a first contact pad of metallization structure 120, and wherein said passivation layer 130 comprises an inorganic material [0039]; and a metal trace 160 [0043], over part of said passivation layer 130 and over said first contact pad 120, fig. 2, wherein said metal trace 160 comprises a gold layer with a thickness of between 2 and 100 μm [0043], wherein said metal trace 160 comprises a second pad (where 170 is located), fig. 2, connected to said first pad, wherein the positions of said first and second contact pads from a top view are different, fig. 1.

With respect to "second contact pad is used to be wirebonded thereto" does not provide a structural limitation, but it is rather defining the second pad is capable of having or receiving a wirebonded thereto. Thus, the second pad of

Kikuchi would have the same capability as claimed. Furthermore, the structure recited in Kikuchi is substantially identical to that of the claims, claimed properties or functions are presumed to be inherent. Or where the claimed and prior art products are identical or substantially identical in structure or composition, or are produced by identical or substantially identical processes, a *prima facie* case of either anticipation or obviousness has been established. *In re Best*, 195 USPQ 430, 433 (CCPA 1977) and MPEP 2112.01.

Regarding claims 123, 129, 131, and 140, Kikuchi discloses the semiconductor chip or wafer further comprising a polymer layer 140 over said passivation layer 130, wherein said second contact pad is over said polymer layer, fig. 2, wherein the metal trace comprises gold.

The process limitations “electroplated” and wirebond in claims 129 and 131 do not carry weight in a claim drawn to structure. *In re Thorpe*, 277 USPQ 964 (Fed. Cir. 1985).

Regarding claims 126-128, 148-150, Kikuchi discloses the semiconductor chip wherein passivation 130 comprises a topmost nitride or oxide layer of said semiconductor chip or wafer [0039]

With respect to “wherein said passivation layer comprises a topmost CVD-formed layer” and “electroplated” is considered to be a process that does not carry weight in a claim drawn to structure. *In re Thorpe*, 277 USPQ 964 (Fed. Cir. 1985).

With respect to “second contact pad is used to be wirebonded thereto” does not provide a structural limitation, but it is rather defining the second pad is capable of having or receiving a wirebonded thereto. Thus, the second pad of Kikuchi would have the same capability as claimed. Furthermore, the structure recited in Kikuchi is substantially identical to that of the claims, claimed properties or functions are presumed to be inherent. Or where the claimed and prior art products are identical or substantially identical in structure or composition, or are produced by identical or substantially identical processes, a *prima facie* case of either anticipation or obviousness has been established. *In re Best*, 195 USPQ 430, 433 (CCPA 1977) and MPEP 2112.01.

Regarding claims 136, Kikuchi discloses a circuit circuitry component comprising: a semiconductor substrate 110; a metallization structure 120 over said semiconductor substrate 110; a passivation layer 130 over said metallization structure, wherein said passivation layer comprises an inorganic material; and a metal trace 160 over said passivation layer 130, wherein said metal trace 160 comprises a titanium-containing layer, a first gold layer (layer 150) on said titanium-containing layer, and a second gold layer on said first gold layer, wherein said titanium-containing layer has a thickness of about 0.15 micron said first gold layer has a thickness of between 0.6 micron [0043] and a said second gold layer a thickness of between 5 micron [0043].

Regarding claims 137-138, Kikuchi discloses the semiconductor chip or wafer wherein said second contact pad is used to be wirebonded thereto, and further

comprising a metal bump 170 or solder bump 190 [0043] and [0046] over said second pad, fig. 2.

Regarding claim 139, Kikuchi discloses the semiconductor chip or wafer wherein further comprising a polymer layer 140 [0040] between said metal trace 160 and said passivation layer 130.

Regarding claim 143-145, see discussion in claim 136.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 114-115 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6605549 to Leu et al. in view of US 2003/0102551 to Kikuchi

Regarding claims 114-115, Leu does not disclose the semiconductor device further comprises a metal or solder bump over the second contact.

However, Kikuchi discloses in fig. 12 disclose the semiconductor device further comprises a metal or solder bump over 190/170 the second contact. At the time the invention was made; it would have been obvious to one of ordinary skill in the art to use the teaching of metal bump teaching Kikuchi with Leu's device, because such metal bump would have allowed further interconnection and improved the device reliability as taught by Kikuchi, see abstract.

8. Claims 146-147 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2003/0102551 to Kikuchi in view of US 6605549 to Leu et al.

Regarding claim 146-147, Kikuchi does not disclose the polymer layer 140 has a thickness of about 2 and 50 micron.

However, Kikuchi discloses the polymer layer 140 has a thickness of about 1 micron [0040]. And Leu discloses a polymer layer 42 has a thickness of about 0.05 and 5 micron, col. 8 line 22. Accordingly, it would have been obvious to one of ordinary skill in art to use the thickness teaching of Leu with Kikuchi's device in the range as claimed, because it has been held that where the general conditions of the claims are discloses in the prior art, it is not inventive to discover the optimum or workable range by routine experimentation. See *In re Aller*, 220 F.2d 454, 105 USPQ 233, 235 (CCPA 1955).

Response to Arguments

9. Applicant's arguments with respect to claims 106, 107-109, 110, 112, 113, 116, 119, 136, 141-142, 151 have been considered but are moot in view of the new ground(s) of rejection.

10. With respect to claim 120, Applicant argues that Kikuchi does not disclose the functional limitation of "used to be wirebonded thereto" of the second pad (170/190). The Examiner respectfully disagrees because Kikuchi discloses the structure that is substantially identical to that of the claims, claimed properties or functions are presumed to be inherent. Or where the claimed and prior art products are identical or substantially identical in structure or composition, or are produced by identical or substantially identical processes, a *prima facie* case of either anticipation or obviousness has been established. *In re Best*, 195 USPQ 430, 433 (CCPA 1977) and MPEP 2112.01. Furthermore, the Applicant does not provide any reasons that the second pad 170/190 of Kikuchi would NOT be capable of performing the same function. In addition, "used to be wirebonded thereto" of the claimed invention does not result in a structural difference between the claimed invention and the prior art, thus claimed invention is only an art recognized suitability for an intended purpose such as wire bonding or solder bonding, etc.. in the interconnecting structure, MPEP 2144.07.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thao X. Le whose telephone number is (571) 272-1708. The examiner can normally be reached on M-F from 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael M. Fahmy can be reached on (571) 272 -1705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

10 Mar. 2007



THAO X. LE
PRIMARY PATENT EXAMINER